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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/055,897	
	Filing Date	January 28, 2002	
	First Named Inventor	Jervant III f	
	Art Unit	3726	
	Examiner Name	Marc Jimenez	
Total Number of Pages in This Submission	4	Attorney Docket Number	100508-09002 (MT-406C)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Request For Reconsideration of Patent Term Adjustment
<div>Remarks</div>		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Robert C. Frame Niels & Lemack	
Signature		
Date	July 13, 2004	

CERTIFICATE OF TRANSMISSION/MAILING		
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jervant Ulf et al.
Serial No. : 10/055,897
Filed : January 28, 2002
For : METHOD FOR PRODUCING A BENDING-
RESISTANT, ELONGATED BODY AND AN
ARRANGEMENT FOR A BENDING-RESISTANT
ELONGATED BODY

Examiner : Marc Jimenez
Art Unit : 3726
Attorney
Docket No. : 100508-09002

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

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on July 13, 2004 (Date)

Robert C. Frame
Name of applicant, assignee, or Registered
Representative

[Signature]
Signature

July 13, 2004
Date

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT

Sir:

The applicant respectfully requests reconsideration of the patent term adjustment for the above-identified application. This patent is not subject to a terminal disclaimer.

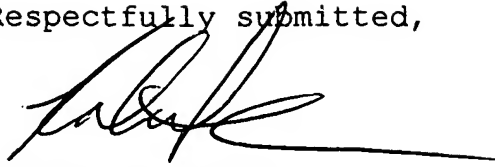
The patent term adjustment indicated on the Notice of Allowance is 248 days, which the applicant believes to be in error. The applicant believes that this term should be 19 days, as explained below. This request is filed pursuant to Rule \$1.705(d).

After submission of the patent application from the applicant on January 28, 2002, the Patent Office mailed a Notice of Required Fees Due on March 22, 2002. The application responded to this notice in a timely manner, with the Patent Office receiving the required fees on April 22, 2002. The Patent Office then mailed a non-final rejection on April 16, 2003. These dates appear in the Patent Application Information Retrieval (PAIR) system.

The current patent term adjustment of 248 days appeared to be based on an incorrect interpretation of §1.703(a)(1). In reviewing these dates, the PAIR system seems to indicate that 248 days were added to the patent term because the Patent Office failed to act within four months of the receipt of the payment of fees. This indicates that the PAIR system considered the mailing of a Notice of Required Fees as a proper response to the submission of the application under §1.703(a)(1). It then appears to have regarded the mailing of the non-final rejection as a proper response to the payment of those fees under §1.703(a)(2). However, the Notice of Required Fees Due is not a proper response within the context of §1.702(a)(1). Therefore, the Patent Office was required to mail a non-final office action within 14 months of the filing of the application, or on March 28, 2003. Since the non-final rejection was mailed on April 16, 2003, this constitutes a delay of 19 days.

The applicant respectfully requests reconsideration of the patent term adjustment in view of the afore-mentioned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Frame', with a long horizontal flourish extending to the right.

Robert C. Frame

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